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Dated: November 6, 2006

Signature: \_\_\_\_\_

(Lon Sims)

Docket No.: 377882000800  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gary VAN NEST et al.

Application No.: 09/642,492

Confirmation No.: 7136

Filed: August 18, 2000

Art Unit: 1648

For: METHODS OF MODULATING AN IMMUNE  
RESPONSE USING IMMUNOSTIMULATORY  
SEQUENCES AND COMPOSITIONS FOR  
USE THEREIN

Examiner: E. Le

**COMMUNICATION RESPONDING TO**  
**THE NOTICE OF NON-COMPLIANT APPEAL BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Appeal Brief mailed on October 18, 2006, for which a response is due on November 18, 2006. This response is timely filed.